

## **2009 DRAFTING REQUEST**

### **Bill**

Received: **10/08/2008**

Received By: **tkuczens**

Wanted: **As time permits**

Identical to LRB:

For: **Ted Kanavas (608) 266-9174**

By/Representing: **Shawn Lundie**

This file may be shown to any legislator: **NO**

Drafter: **tkuczens**

May Contact:

Addl. Drafters:

Subject: **Education - MPS**

Extra Copies: **PG**

Submit via email: **YES**

Requester's email: **Sen.Kanavas@legis.wisconsin.gov**

Carbon copy (CC:) to: **tracy.kuczenski@legis.wisconsin.gov**

---

### **Pre Topic:**

No specific pre topic given

---

### **Topic:**

MPS dissolution

---

### **Instructions:**

See attached

---

### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tkuczens 11/18/2008 pkahler 11/19/2008			_____ _____ _____ _____			S&L
/P1	tkuczens 03/11/2009 tkuczens 03/23/2009	bkraft 03/12/2009 bkraft 03/23/2009	mduchek 03/13/2009	_____ _____ _____ _____	cduerst 03/13/2009		S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1			jfrantze	_____	cduerst	lparisi	
			03/23/2009	_____	03/23/2009	03/25/2009	

FE Sent For: "/1" @ intro. 4/24/09

&lt;END&gt;

## **2009 DRAFTING REQUEST**

### **Bill**

Received: **10/08/2008**

Received By: **tkuczens**

Wanted: **As time permits**

Identical to LRB:

For: **Ted Kanavas (608) 266-9174**

By/Representing: **Shawn Lundie**

This file may be shown to any legislator: **NO**

Drafter: **tkuczens**

May Contact:

Addl. Drafters:

**pkahler**

Subject: **Education - MPS**

Extra Copies: **PG**

Submit via email: **YES**

Requester's email: **Sen.Kanavas@legis.wisconsin.gov**

Carbon copy (CC:) to: **tracy.kuczenski@legis.wisconsin.gov**

---

### **Pre Topic:**

No specific pre topic given

---

### **Topic:**

MPS dissolution

---

### **Instructions:**

See attached

---

### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tkuczens 11/18/2008 pkahler 11/19/2008			_____ _____ _____ _____			S&L
/P1	tkuczens 03/11/2009 tkuczens 03/23/2009	bkraft 03/12/2009 bkraft 03/23/2009	mduchek 03/13/2009	_____ _____ _____ _____	cduerst 03/13/2009		S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/1			jfrantze	_____	cduerst		
			03/23/2009	_____	03/23/2009		

FE Sent For:

<END>

## 2009 DRAFTING REQUEST

### Bill

Received: **10/08/2008**

Received By: **tkuczens**

Wanted: **As time permits**

Identical to LRB:

For: **Ted Kanavas (608) 266-9174**

By/Representing: **Shawn Lundie**

This file may be shown to any legislator: **NO**

Drafter: **tkuczens**

May Contact:

Addl. Drafters: **pkahler**

Subject: **Education - MPS**

Extra Copies: **PG**

Submit via email: **YES**

Requester's email: **Sen.Kanavas@legis.wisconsin.gov**

Carbon copy (CC:) to: **tracy.kuczynski@legis.wisconsin.gov**

### Pre Topic:

No specific pre topic given

### Topic:

MPS dissolution


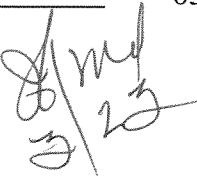
### Instructions:

See attached

### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tkuczens 11/18/2008 pkahler 11/19/2008						S&L
/P1	tkuczens 03/11/2009	bkraft 03/12/2009	mduchek 03/13/2009		cduerst 03/13/2009		

FE Sent For:

1 bjk 3/23  
  
 3/23  
  
 3/23

<END>

## **2009 DRAFTING REQUEST**

### **Bill**

Received: **10/08/2008**

Received By: **tkuczens**

Wanted: **As time permits**

Identical to LRB:

For: **Ted Kanavas (608) 266-9174**

By/Representing: **Shawn Lundie**

This file may be shown to any legislator: **NO**

Drafter: **tkuczens**

May Contact:

Addl. Drafters:

Subject: **Education - MPS**

Extra Copies: **PG**

Submit via email: **YES**

Requester's email: **Sen.Kanavas@legis.wisconsin.gov**

Carbon copy (CC:) to: **tracy.kuczenski@legis.wisconsin.gov**

---

### **Pre Topic:**

No specific pre topic given

---

### **Topic:**

MPS dissolution

---

### **Instructions:**

See attached

---

### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tkuczens	PI bjk 3/12	MD 3/12	MD PH 3/13			

FE Sent For:

<END>

## Kuczenski, Tracy

**From:** Lundie, Shawn  
**Sent:** Monday, March 02, 2009 4:14 PM  
**To:** Kuczenski, Tracy  
**Subject:** RE: Senator Kanavas: Drafting Request - MPS

Tracy,

Here are the answers to the questions you had on the MPS dissolution bill. Let me know if you need any additional information. Thank you!

-Shawn → No answers to questions on "other issues"

### Dissolution of the Milwaukee Public Schools District:

The intent of this legislation is to permanently dissolve the Milwaukee Public School District and create 8 separate, equally sized school districts. Each district is to be run by its own school board made of district residents. Each district is to be overseen by its own superintendent.

✓ 1. Who determines the boundaries of these 8 districts? Do you have district boundaries in mind already? Will they be based on current attendance areas? Or on population counts determined from the decennial census? Or some other mechanism?

The boundaries should be geographically sensible and roughly equal in population. The district's boundaries will be drawn by a newly created "redistricting panel" composed of the Superintendent of Public Instruction (not a designee) serving as the chairperson, and two additional individuals appointed by the Governor.

✓ 2. Must all 8 districts offer instruction in grades K-12?

YES ✓

issues to consider in redistricting shall include:

✓ 3. How will the new district configuration ensure that each school district has the schools (buildings) it needs?

The redistricting panel should consider this issue as it draws the new district's borders.

✓ 4. How many members will be on each district's school board? How will the initial members be selected? How will the members of the boards be selected after the first slates are in place? What will be their terms?

Each school board will have seven members each serving three year terms. The initial members of the boards must each win election prior to serving on the board. The election should be held in the spring prior to the new districts start date.

Self K.

✓ 5. What happens to current contracts in place between MPS and its employees and other contractors? Will current employees of the district (teachers, administrators, support staff, librarians, etc.) automatically become employees of the underlying districts, or will they be required to reapply for their jobs to the individual districts.

✓ The employees should automatically be assigned to the new districts as created by the redistricting panel. Rick re: turnover

6. In short, how will the new 8-district configuration be implemented? Did you wish to require the creation of a committee of some sort to oversee the transition?

Yes, the 3 member panel led by the Superintendent of DPI. ↙



---

**From:** Kuczenski, Tracy  
**Sent:** Wednesday, November 19, 2008 11:48 AM  
**To:** Lundie, Shawn  
**Subject:** RE: Senator Kanavas: Drafting Request - MPS

Thanks, Shawn --

The questions at the bottom of my email under the heading "Other issues" will be relevant to the "clean bill" as well.

Thanks again,  
Tracy

*Tracy K. Kuczenski*  
*Legislative Attorney*  
*Wisconsin Legislative Reference Bureau*  
*(608) 266-9867*  
*[Tracy.Kuczenski@legis.wisconsin.gov](mailto:Tracy.Kuczenski@legis.wisconsin.gov)*

---

**From:** Lundie, Shawn  
**Sent:** Wednesday, November 19, 2008 11:32 AM  
**To:** Kuczenski, Tracy  
**Subject:** RE: Senator Kanavas: Drafting Request - MPS

Tracy,

The Senator has determined he would like to draft a "clean" MPS bill that deals solely with the dissolution of the district and the creation of 8 new districts. The portions about merit pay, BadgerCare may be removed. I will take a look at question 1-6 ASAP.

Thank you so much for helping us out on this!

-Shawn

---

**From:** Kuczenski, Tracy  
**Sent:** Wednesday, November 19, 2008 10:51 AM  
**To:** Lundie, Shawn  
**Cc:** Kahler, Pam  
**Subject:** RE: Senator Kanavas: Drafting Request - MPS

Hi Shawn --

I wanted to let you know that Pam Kahler will be drafting that portion of this bill related to eligibility for participation in Badger Care Plus. I don't believe she has any questions that would prevent her from getting a preliminary draft of that portion of the bill to you in the near future. I, however, have a lot of questions about the drafting instructions you provided, and I need more information before I can really get started on my portion of the draft. If you would like to see the Badger Care Plus portion of the bill before the complete draft, please let us know.

I have a number of questions about your drafting instructions, which I have written underneath your instructions:

#### **Dissolution of the Milwaukee Public Schools District:**

The intent of this legislation is to permanently dissolve the Milwaukee Public School District and create 8 separate, equally sized school districts. Each district is to be run by its own school board made of district residents. Each district is to be overseen by its own superintendent.

1. Who determines the boundaries of these 8 districts? Do you have district boundaries in mind already? Will they be based on current attendance areas? Or on population counts determined from the decennial census? Or some other mechanism?
2. Must all 8 districts offer instruction in grades K-12?
3. How will the new district configuration ensure that each school district has the schools (buildings) it needs?
4. How many members will be on each district's school board? How will the initial members be selected? How will the

members of the boards be selected after the first slates are in place? What will be their terms?

5. What happens to current contracts in place between MPS and its employees and other contractors? Will current employees of the district (teachers, administrators, support staff, librarians, etc.) automatically become employees of the underlying districts, or will they be required to reapply for their jobs to the individual districts.

6. In short, how will the new 8-district configuration be implemented? Did you wish to require the creation of a committee of some sort to oversee the transition?

### **Merit Pay:**

The State Superintendent shall implement merit based system of pay for school district employees, instead of an experience based pay rate. Once the current collective bargaining has ended, a new system would be put in place based on merit, accountability and results. Teachers and administrators may be terminated, no matter their experience within the district—with the intended consequence of retaining only the most highly qualified teachers.

1. Given your reference to "State Superintendent", did you want this new merit-based system to apply to \*all\* school districts state-wide, or only to the 8 districts created in Milwaukee? If the latter, would the merit based system be the same in each of the 8 districts, or could they differ from one district to the other?

2. Will the merit-based system apply to employees of charter schools operated by the school districts?

3. Do you want the Department of Public Instruction to establish the parameters of the merit-based system by rule?

4. If not, what do you mean by "merit, accountability and results?" Results on standardized tests administered by the school districts? Results in the number of pupils who are promoted each year or who graduate from certain grades? Results in reducing the number of dropouts or trancies? Grade point averages of particular numbers of students in each grade in each school?

5. How will the results be tied to individual teachers (this is particularly relevant in those grades where pupils are enrolled in a number of courses at any one time).

6. Is it your intent that the teachers' union will be "busted" "once the current collective bargaining has ended"?

### **Flexibility in Education:**

Each of the new school districts should have the power to create its own alternative schools to specialize in a specific area of education.

I'm not sure what you mean by this provision. How are "alternative schools" different from charter schools, which are permitted in MPS under ss. 118.40 and 119.04 (1)?

### **Other Issues**

MPS is different from all other school districts in several ways:

-- It is not authorized to levy a property tax; MPS tells the City of Milwaukee how much money it needs and the city levies taxes for MPS.

-- MPS cannot borrow money; the City borrows money on MPS's behalf.

-- MPS does not own the schools; the City does.

Given the above, I have the following questions:

1. Will the 8 new districts be like MPS or like all the other districts in the state?

2. If the 8 new districts are to be more like all the other districts in the state, how will the assets and liabilities that are currently held by the City be assigned to and between the 8 new districts and the City?

3. If the 8 new districts are to be more like all the other districts in the state, will they be common or unified?

I look forward to your reply.

Tracy

Tracy K. Kuczenski  
Legislative Attorney  
Wisconsin Legislative Reference Bureau  
(608) 266-9867  
[Tracy.Kuczenski@legis.wisconsin.gov](mailto:Tracy.Kuczenski@legis.wisconsin.gov)

**From:** Lundie, Shawn  
**Sent:** Wednesday, October 08, 2008 11:23 AM  
**To:** Kuczenski, Tracy  
**Subject:** Senator Kanavas: Drafting Request - MPS

## MEMO:

**To:** Tracy K. Kuczenski, Legislative Reference Bureau—Drafting Section  
**From:** Shawn Lundie, Chief of Staff—Office of State Senator Ted Kanavas  
**Date:** Tuesday, October 7, 2008  
**Re:** Draft Memorandum—Milwaukee Public School Dissolution Proposal

Tracy,

Here are the guidelines for the MPS dissolution bill. I am sure that once I receive the draft our Assembly lead will have some suggestions additions/deletions. Thank you for your help on this!

---

### **Dissolution of the Milwaukee Public Schools District:**

The intent of this legislation is to permanently dissolve the Milwaukee Public School District and create 8 separate, equally sized school districts. Each district is to be run by its own school board made of district residents. Each district is to be overseen by its own superintendent.

### **Elimination of the Residency Requirement:**

Eliminate the residency requirement within MPS for teachers and district employees.

### **Merit Pay:**

The State Superintendent shall implement merit based system of pay for school district employees, instead of an experience based pay rate. Once the current collective bargaining has ended, a new system would be put in place based on merit, accountability and results. Teachers and administrators may be terminated, no matter their experience within the district—with the intended consequence of retaining only the most highly qualified teachers.

### **Flexibility in Education:**

Each of the new school districts should have the power to create its own alternative schools to specialize in a specific area of education.

### **Badger Care and Truancy, Pilot Program:**

The Wisconsin Department of Health and Family Services must submit to CMS an accountability waiver for BadgerCare recipients within the City of Milwaukee.

If the Department determines that a child, who is eligible for health care coverage is a habitual truant, the child's parents, or the child's parent and his or her spouse who resides in the same household, are ineligible for health care coverage;

If the Department determines that a child who is eligible for BadgerCare has dropped out of school, that child and his or her parents, or that child and the child's parent and his or her spouse who resides in the same household, are ineligible for health care coverage;

The Department may reinstate the health care coverage who has lost health care coverage, if the department believes that they are no longer habitually truant;

The Department shall reinstate the health care coverage of an individual who loses health care coverage if the individual is still eligible for BadgerCare, and the Department determines the child is no longer a dropout;

The Department may set up a warning system, as a way to let the parents, recipients, or their spouses that their health care coverage may be in danger of being terminated;

To obtain BadgerCare, the parents must have completed a high school diploma, GED, or in the process of obtaining either of the formerly mentioned;

Department shall include in their application, a listing of the highest education attained, and the last institution they attended to establish trends;

A report shall be provided to the Legislature as to the status of this waiver program.

#### **Charter Schools:**

The legislation should protect all established charter schools and should not impede the application process of any charter school seeking recognition.

#### **School Choice:**

The legislation should not prevent any students from participating the state's school choice program.

Please call me if you have any questions at 608-266-9174.

*Shawn Lundie  
Office of Senator Ted Kanavas  
106 South, State Capitol  
Madison, WI 53707-7882  
(608) 266-9174*



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-0640/2

TKK:.....bjk

(Not  
psk) - ① d-note  
RMRVN

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

LPS - Please check  
components and  
auto-numbers.

SA  
x-ref

1 AN ACT ...; relating to: reorganizing the Milwaukee Public School System into  
2 ⑧ school districts and creating a Milwaukee Public Schools Redistricting and  
3 Implementation Commission.

eight  
gen.

---

***Analysis by the Legislative Reference Bureau***

This is a preliminary draft. An analysis will be provided in a later version.  
For further information see the ***state and local*** fiscal estimate, which will be  
printed as an appendix to this bill.

---

***The people of the state of Wisconsin, represented in senate and assembly, do  
enact as follows:***

4 SECTION 1. Chapter 119 (title) of the statutes is amended to read:

5 CHAPTER 119

6 FIRST CLASS CITY SCHOOL SYSTEM

7 SYSTEMS IN LIMITED-POPULATION

8 FIRST CLASS CITIES

9 SECTION 2. 119.01 of the statutes is amended to read:

1 **119.01 Applicability.** This chapter applies only to cities of the 1st class.

2 **SECTION 3.** 119.02 (1) of the statutes is amended to read:

3 119.02 (1) "Board" means the board of school directors in charge of the public  
4 schools of a city of the 1st class.

5 **SECTION 4.** 119.02 (2) of the statutes is amended to read:

6 119.02 (2) "City" means a 1st class city of the 1st class with a population of less  
7 than 500,000.

8 **SECTION 5. Nonstatutory provisions.**

9 (1) CREATION OF MILWAUKEE PUBLIC SCHOOL DISTRICTS. The Milwaukee Public  
10 School System is dissolved. The territory comprising the dissolved school district is  
11 divided into 8 separate school districts, the boundaries of which shall be determined  
12 by the Milwaukee Public Schools Redistricting and Implementation Commission.

13 (2) MILWAUKEE PUBLIC SCHOOLS REDISTRICTING AND IMPLEMENTATION COMMISSION.

14 There is created a Milwaukee Public Schools Redistricting and Implementation  
15 Commission consisting of the state superintendent of public instruction and <sup>2</sup>two  
16 individuals appointed by the Governor. The department of public instruction shall  
17 provide staff services to the commission. Commissioners shall receive no  
18 compensation or reimbursement for their services or expenses. The commission  
19 shall do all of the following:

20 (a) Determine the boundaries of the 8 Milwaukee public school districts created  
21 under subsection (1). To the extent practicable, the population in each district shall  
22 be roughly equal. The commission shall consider the location and capacity of school  
23 buildings when drawing the boundaries under this paragraph.

24 (b) Submit to the legislature in January, 2013, recommendations on statutory  
25 changes needed as a result of the creation of the Milwaukee public school districts

legislation

under this act, on any other ~~statutory changes~~ <sup>legislation</sup> required to implement this act, and on related matters deemed by the commission to be desirable or necessary to organize and operate the school districts created under this act, including the appropriate allocation of assets and liabilities under section 66.0235 (2c) of the statutes to each of the 8 school districts created by this act. The recommended ~~statutory changes~~ <sup>legislation</sup> shall

~~address~~ all of the following:

1. ~~The~~ <sup>transfer</sup> of each school building and grounds and each school site from the City of Milwaukee to the Milwaukee public school district <sup>created under this act</sup> within which that school building and grounds or school site is located.

2. <sup>Address</sup> The taxing and borrowing authority of each Milwaukee public school district created under this act.

3. <sup>persons employed by persons employed by</sup> ~~Legislation to ensure that employees of~~ the Milwaukee Public School System on June 30, 2014, are employed by one of the Milwaukee public school districts on and after July 1, 2014. <sup>Revise</sup> <sup>created under this act</sup>

4. <sup>auto-ref AA</sup> ~~Necessary revisions to~~ the statutes to define and clarify the rights of employees under subdivision 3. under retirement, social security, group insurance and other fringe benefit programs and under collective bargaining agreements. The salary and fringe benefit rights and privileges of such employees existing under collective bargaining agreements in effect on June 30, 2014, shall be preserved until superseded by provisions of a succeeding collective bargaining agreement, and the tenure rights and privileges existing under sections 118.23 and 119.42 of the statutes shall be preserved.

(3) MEMBERS OF MILWAUKEE PUBLIC SCHOOL BOARDS.

(a) Each of the Milwaukee public school boards created under this act shall consist of 7 members elected at large as provided in section 120.42 of the statutes.

1 The initial members of each Milwaukee public school board shall be elected at the  
2 2014 spring election and shall take office on July 1, 2014.

3 (b) The initial terms of 4 of the initial members of each Milwaukee school board  
4 shall be 2 years. The initial terms of 3 of the initial members of each Milwaukee  
5 school board shall be 3 years. For the initial election, in filing nomination papers and  
6 a declaration of candidacy, each candidate shall specify whether he or she seeks office  
7 for a 2-year or a 3-year term. Successors to the initial board members shall serve  
8 for 3-year terms.

9 (4) UNIFIED SCHOOL DISTRICT LAWS APPLY. Each of the school districts created  
10 under this act shall be a unified school district under subchapter II of chapter 120  
11 of the statutes, and each school district shall operate grades kindergarten to 12.

12 **SECTION 6. Effective dates.** This act takes effect on the day after publication,  
13 except as follows:

14 (1) The treatment of sections 119.01 and 119.02 (1) and (2) and chapter 119  
15 (title) of the statutes and SECTION 5 (1) and (4) of this act take effect on July 1, 2014.

16 (END)

D-note



**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0640/dn

TKK:.....

Date

Lbjk

Senator Kanavas:

This bill dissolves the Milwaukee Public School System and establishes a skeletal substantive and procedural framework for the establishment of 8 independent Milwaukee public school districts. The bill vests authority in the Milwaukee Redistricting and Implementation Commission to determine the boundaries of the new school districts and to make recommendations to the legislature regarding the laws and policies under which the school districts will operate. Please review the draft carefully to ensure that I have captured your intent, and contact me with any questions or changes you wish to make to the bill.

I have four questions for your consideration:

1. Please be aware that, under the bill as drafted, Chapter 119 will no longer apply to any city in Wisconsin. Among other things, this means that, effective July 1, 2014, the Milwaukee Parental Choice Program will cease to exist. Did you wish to address this issue, or explicitly instruct the Milwaukee Redistricting and Implementation Commission to address this issue in its recommendations to the legislature?

2. Do you wish to create a governing board with responsibilities to assist, advise, make policy for, supervise, or govern the 8 separate school districts created in this bill?

3. Do you wish to require or authorize the creation of a separate advisory body for each school district created under the bill to plan for the guiding principles and operation of that school district in advance of the election of school board members? *Δ*

>> 4. Under the bill, the Milwaukee Redistricting and Implementation Commission must submit recommendations for proposed legislation by July 1, 2012; elections of members of the 8 new school boards are to take place in the Spring 2014 election; and the dissolution of the Milwaukee Public School system is to take effect on July 1, 2014.

> Is this time-line acceptable? *Δ*

Tracy K. Kuczenski  
Legislative Attorney  
Phone: (608) 266-9867  
E-mail: tracy.kuczenski@legis.wisconsin.gov

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0640/P1dn  
TKK:bjk:md

March 12, 2009

Senator Kanavas:

This bill dissolves the Milwaukee Public School System and establishes a skeletal substantive and procedural framework for the establishment of 8 independent Milwaukee public school districts. The bill vests authority in the Milwaukee Redistricting and Implementation Commission to determine the boundaries of the new school districts and to make recommendations to the legislature regarding the laws and policies under which the school districts will operate. Please review the draft carefully to ensure that I have captured your intent, and contact me with any questions or changes you wish to make to the bill.

I have four questions for your consideration:

1. Please be aware that, under the bill as drafted, Chapter 119 will no longer apply to any city in Wisconsin. Among other things, this means that, effective July 1, 2014, the Milwaukee Parental Choice Program will cease to exist. Did you wish to address this issue, or explicitly instruct the Milwaukee Redistricting and Implementation Commission to address this issue in its recommendations to the legislature?
2. Do you wish to create a governing board with responsibilities to assist, advise, make policy for, supervise, or govern the 8 separate school districts created in this bill?
3. Do you wish to require or authorize the creation of a separate advisory body for each school district created under the bill to plan for the guiding principles and operation of that school district in advance of the election of school board members?
4. Under the bill: the Milwaukee Redistricting and Implementation Commission must submit recommendations for proposed legislation by July 1, 2012; elections of members of the 8 new school boards are to take place in the Spring 2014 election; and the dissolution of the Milwaukee Public School system is to take effect on July 1, 2014. Is this time-line acceptable?

Tracy K. Kuczenski  
Legislative Attorney  
Phone: (608) 266-9867  
E-mail: [tracy.kuczenski@legis.wisconsin.gov](mailto:tracy.kuczenski@legis.wisconsin.gov)

## Kuczenski, Tracy

---

**From:** Lundie, Shawn  
**Sent:** Friday, March 13, 2009 1:16 PM  
**To:** Kuczenski, Tracy  
**Subject:** RE: Draft review: LRB 09-0640/P1 Topic: MPS dissolution

yes please.

---

**From:** Kuczenski, Tracy  
**Sent:** Friday, March 13, 2009 1:16 PM  
**To:** Lundie, Shawn  
**Subject:** RE: Draft review: LRB 09-0640/P1 Topic: MPS dissolution

Hi Shawn -

Thanks for getting back to me on this so quickly. I'll make these changes. Do you want me to prepare an analysis and make this an introducible bill?

Tracy

*Tracy K. Kuczenski*  
*Legislative Attorney*  
*Wisconsin Legislative Reference Bureau*  
*(608) 266-9867*  
*[Tracy.Kuczenski@legis.wisconsin.gov](mailto:Tracy.Kuczenski@legis.wisconsin.gov)*

---

**From:** Lundie, Shawn  
**Sent:** Friday, March 13, 2009 1:02 PM  
**To:** Kuczenski, Tracy  
**Subject:** RE: Draft review: LRB 09-0640/P1 Topic: MPS dissolution

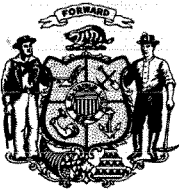
Tracy:

Thank you for the draft language on the MPS bill. I really appreciate your efforts on this especially considering the busy time of year.

The response to your questions are as follows:

1. Senator Kanavas fully supports the Milwaukee Parental Choice program and would like it to remain in existence and explicitly address this issue in the bill.
2. The Senator would like the bill to direct DPI to assist and advise each new school district with their initial and continuing planning for a period of two years after creation of the new districts. DPI may determine on its own if they wish to create a separate board or advisory body to do so.
3. Same as #2.
4. The Senator would like the MRIC to submit its proposed recommendations by July 1, 2011 with school board elections to take place in the Spring of 2013 and the dissolution of MPS to take effect on July 1, 2013. These changes effectively move each date in the bill up one year.

3/13/2009



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-0640/P1

TKK:bjk:md

stays RMNR  
insert

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

in 3/23/09

by 3/24/09

SA-

Inserts

regen.

- 1 AN ACT *to amend* chapter 119 (title), 119.01, 119.02 (1) and 119.02 (2) of the  
2 statutes; **relating to:** reorganizing the Milwaukee Public School System into  
3 eight school districts and creating a Milwaukee Public Schools Redistricting  
4 and Implementation Commission.

INSERT  
ANALYSIS

*Analysis by the Legislative Reference Bureau*

This is a preliminary draft. An analysis will be provided in a later version.  
For further information see the *state and local* fiscal estimate, which will be  
printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do  
enact as follows:*

- 5 SECTION 1. Chapter 119 (title) of the statutes is amended to read:

- 6 CHAPTER 119

- 7 FIRST CLASS CITY SCHOOL SYSTEM

- 8 SYSTEMS IN LIMITED-POPULATION

- 9 FIRST CLASS CITIES

1 SECTION 2. 119.01 of the statutes is amended to read:

2 **119.01 Applicability.** This chapter applies only to cities of the 1st class.

3 SECTION 3. 119.02 (1) of the statutes is amended to read:

4 119.02 (1) "Board" means the board of school directors in charge of the public  
5 schools of a city of the 1st class.

6 SECTION 4. 119.02 (2) of the statutes is amended to read:

7 119.02 (2) "City" means a 1st class city of the 1st class with a population of less  
8 than 500,000.

9 SECTION 5. Nonstatutory provisions.

10 (1) CREATION OF MILWAUKEE PUBLIC SCHOOL DISTRICTS. The Milwaukee Public  
11 School System is dissolved. The territory comprising the dissolved school district is  
12 divided into 8 separate school districts, the boundaries of which shall be determined  
13 by the Milwaukee Public Schools Redistricting and Implementation Commission.

*auto-ref on p. 2 of chart, line 8*  
14 (2) MILWAUKEE PUBLIC SCHOOLS REDISTRICTING AND IMPLEMENTATION COMMISSION.

15 There is created a Milwaukee Public Schools Redistricting and Implementation  
16 Commission consisting of the state superintendent of public instruction and 2  
17 individuals appointed by the governor. The department of public instruction shall

18 provide staff services to the commission. Commissioners shall receive no  
19 compensation or reimbursement for their services or expenses. The commission  
20 shall do all of the following:

21 (a) Determine the boundaries of the 8 Milwaukee public school districts <sup>to be</sup> created  
22 under subsection (1). *check auto-ref* To the extent practicable, the population in each district shall  
23 be roughly equal. The commission shall consider the location and capacity of school  
24 buildings when drawing the boundaries under this paragraph.

by July 1, 2011

(1) (b) Submit to the legislature in January, 2013, recommendations on legislation  
2 needed as a result of the creation of the Milwaukee public school districts under this  
3 act, on any other legislation required to implement this act, and on related matters  
4 deemed by the commission to be desirable or necessary to organize and operate the  
5 school districts created under this act, including the appropriate allocation of assets  
6 and liabilities under section 66.0235 (2c) of the statutes to each of the 8 school  
7 districts created by this act. The recommended legislation shall do all of the  
8 following:

(9) 1. Transfer each school building and grounds and each school site from the City  
10 of Milwaukee to the Milwaukee public school district created under this act within  
11 which that school building and grounds or school site is located.

12 2. Address the taxing and borrowing authority of each Milwaukee public school  
13 district created under this act.

14 3. Ensure that persons employed by the Milwaukee Public School System on  
15 June 30, 2014<sup>e 2013</sup>, are employed by one of the Milwaukee public school districts created  
16 under this act on and after July 1, 2014<sup>e 2013</sup>.

17 4. Revise the statutes to define and clarify the rights of employees under  
18 subdivision 3. under retirement, social security, group insurance and other fringe  
19 benefit programs and under collective bargaining agreements. The salary and fringe  
20 benefit rights and privileges of such employees existing under collective bargaining  
21 agreements in effect on June 30, 2014<sup>e 2013</sup>, shall be preserved until superseded by  
22 provisions of a succeeding collective bargaining agreement, and the tenure rights  
23 and privileges existing under sections 118.23 and 119.42 of the statutes shall be  
24 preserved.

(3) MEMBERS OF MILWAUKEE PUBLIC SCHOOL BOARDS.

(4)

Insert 3-25

① (a) Each of the Milwaukee public school <sup>g districts to be</sup> boards created under <sup>g subsection (1)</sup> this act shall  
② <sup>be governed by a school board consisting</sup> consist of 7 members elected at large as provided in section 120.42 of the statutes.

3 The initial members of each Milwaukee public school board shall be elected at the

④ <sup>e 2013</sup> 2014 spring election and shall take office on July 1, <sup>e 2013</sup> 2014.

5 (b) The initial terms of 4 of the initial members of each Milwaukee public school  
6 board shall be 2 years. The initial terms of 3 of the initial members of each  
7 Milwaukee public school board shall be 3 years. For the initial election, in filing  
8 nomination papers and a declaration of candidacy, each candidate shall specify  
9 whether he or she seeks office for a 2-year or a 3-year term. Successors to the initial  
10 board members shall serve for 3-year terms.

⑪ <sup>(5) e</sup> (4) <sup>check auto-ref.</sup> UNIFIED SCHOOL DISTRICT LAWS APPLY. Each of the <sup>Milwaukee public</sup> school districts created  
12 under this act shall be a unified school district under subchapter II of chapter 120  
13 of the statutes, and each school district shall operate grades kindergarten to 12.

14 **SECTION 6. Effective dates.** This act takes effect on the day after publication,  
15 except as follows:

16 (1) The treatment of sections 119.01 and 119.02 (1) and (2) and chapter 119  
⑪ <sup>check auto-ref</sup> (title) of the statutes and SECTION 5 (1) and (4) of this act take effect on July 1, 2014.

18 (END) <sup>(5)</sup> <sup>e 2013</sup>

2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-0640/Pins  
TKK:bjk:md

1

INSERT ANALYSIS

Effective July 1, 2013, this bill dissolves the Milwaukee Public Schools (MPS) and creates in its place <sup>eight</sup> 8 Milwaukee public school districts. Each new school district must operate grades kindergarten to 12. Each new school board must consist of <sup>seven</sup> 7 members elected at large for <sup>three</sup> 3-year terms. The initial election of school board members occurs at the 2013 spring election.

The bill creates a Milwaukee Public Schools Redistricting and Implementation Commission (commission) consisting of the State Superintendent of Public Instruction and <sup>two</sup> 2 individuals appointed by the governor. <sup>new</sup>

The commission must determine the boundaries of the school districts and, by July 1, 2011, submit to the legislature recommended changes to the statutes necessary to organize and operate the <sup>eight</sup> 8 new school districts. The recommended legislation must do all of the following:

1. Transfer school buildings from the City of Milwaukee to one of the Milwaukee public school districts.

2. Address the taxing and borrowing authority of each Milwaukee public school district.

3. Ensure that employees of MPS prior to its dissolution are employed by one of the Milwaukee public school districts after the dissolution of MPS.

4. Address the rights of MPS employees under retirement, social security, group insurance and fringe benefit programs, and collective bargaining agreements upon the dissolution of MPS.

5. Provide for the continuation of the Milwaukee Parental Choice Program, under which an eligible pupil who resides in the City of Milwaukee may attend a private school at state expense under certain conditions, in each of the <sup>eight</sup> 8 new Milwaukee public school districts.

The bill directs the Department of Public Instruction to provide staff support to the Commission and to assist each school district created under the bill.

2

INSERT 3-25

auto-ref p. 2, line 5

3

5. Provide for the continuation of the program under section 119.23 of the

4

statutes as follows:

auto-ref p. 2, line 5

5

a. Require each of the <sup>Milwaukee public</sup> 8 school districts created <sup>under</sup> by this act to implement a

6

program under which certain eligible pupils in grades <sup>one of the 8</sup> K to 12 who reside within the <sup>kindergarten</sup> boundaries of a school district may attend, at no charge, any private school located

7

within the boundaries of that school district.

8



b. Ensure that pupils enrolled in a private school under section 119.23 of the statutes in the 2012-13 school year and who would be eligible to enroll in a private school under section 119.23 of the statutes in the 2013-14 school year will remain eligible to be enrolled in a private school under a program to be established as provided under subdivision ~~paragraph a~~ in the 2013-14 school year.

~~(3)~~ (1) RESPONSIBILITIES OF THE DEPARTMENT OF PUBLIC INSTRUCTION. The department of public instruction shall do of the following:

- (a) Provide staff services to the commission created under subsection (2).
- (b) Provide assistance to each of the 8 Milwaukee public school districts created under this ~~bill~~ <sup>act</sup>, including planning for the operation of the school district.

**Parisi, Lori**

---

**From:** Lundie, Shawn  
**Sent:** Wednesday, March 25, 2009 4:40 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 09-0640/1 Topic: MPS dissolution

Please Jacket LRB 09-0640/1 for the SENATE.